

Amendments to the Claims

Claims 1-26 (Canceled)

Claim 27 (**New**) A contents distribution apparatus for distributing a content to a terminal device, the contents distribution apparatus comprising:

- a storage section operable to store therein the content and special effect data representing a special effect which causes the content not to be reproduced; and

- a transmission section operable to, when it is judged that the terminal device has a high processing ability, extract, from the special effect data, attribute data including type information indicating a type of the special effect and portion information indicating a portion of the content to which the special effect is applied, and transmit the extracted attribute data and the content to the terminal device without transmitting the special effect data to the terminal device, wherein

 - the attribute data and the content transmitted to the terminal device are used,

 - when the terminal device judged to have the high processing ability generates special effect data which is applied to the portion of the content indicated by the portion information and which represents the type of the special effect indicated by the type information, and

 - when the terminal device judged to have the high processing ability reproduces the content to which a special effect represented by the generated special effect data is applied.

Claim 28 (**New**) The contents distribution apparatus according to claim 27, wherein

- the storage section is further operable to store therein a flag indicating whether or not to apply, to the content, the special effect represented by the special effect data,

 - the transmission section is further operable to transmit the flag to the terminal device, and

 - the flag transmitted to the terminal device is used to control whether or not to cause the terminal device judged to have the high processing ability to reproduce the content to which the special effect represented by the generated special effect data is applied.

Claim 29 (**New**) The contents distribution apparatus according to claim 27, wherein

- the special effect data is data corresponding to the portion of the content indicated by the portion information,

the transmission section is further operable to transmit the special effect data and the content to the terminal device, when it is judged that the terminal device has a low processing ability, and

the content and the special effect data transmitted to the terminal device are used, when the terminal device judged to have the low processing ability reproduces the content to which the special effect represented by the special effect data is applied.

Claim 30 (New) A contents distribution method in which a contents distribution apparatus distributes a content to a terminal device,

the contents distribution apparatus storing therein the content and special effect data representing a special effect which causes the content not to be reproduced,

the contents distribution method comprising:

extracting, when it is judged that the terminal device has a high processing ability, from the special effect data, attribute data including type information indicating a type of the special effect and portion information indicating a portion of the content to which the special effect is applied; and

transmitting the extracted attribute data and the content to the terminal device without transmitting the special effect data to the terminal device, wherein

the attribute data and the content transmitted to the terminal device are used,

when the terminal device judged to have the high processing ability generates special effect data which is applied to the portion of the content indicated by the portion information and which represents the type of the special effect indicated by the type information, and

when the terminal device judged to have the high processing ability reproduces the content to which a special effect represented by the generated special effect data is applied.